

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

CECELIA PRYCE suing individually on her own behalf and representatively on behalf of a class of plaintiffs similarly situated,

Plaintiff,

- against -

PROGRESSIVE CORPORATION;
PROGRESSIVE CASUALTY INSURANCE
COMPANY; and PROGRESSIVE DIRECT
INSURANCE COMPANY,

Defendants.

Case No.: 1:19-cv-01467

JOINT MOTION TO AMEND SCHEDULING ORDER

Defendants and Plaintiff Cecelia Pryce (collectively, “the Parties”) jointly and respectfully move this Court for an Order amending the current schedule as set forth below. The Parties agree and state as follows:

1. The Parties initially submitted a Joint Proposed Scheduling Order on March 16, 2023 (Dkt. No. 73), which was entered by Text Order on March 17, 2023 (Dkt. No. 74). Thereafter the Parties jointly moved to amend the Scheduling Order on July 13, 2023 (Dkt. No. 73) which was granted by Text Order on July 14, 2023 (Dkt. No. 75).

2. The Parties now jointly move for a further amendment of the Scheduling Order. As this Court is aware from the initial Joint Motion to Amend the Scheduling Order, prior to the close of fact discovery, the Parties served additional discovery. Given the breadth of the discovery sought and the fact that some of the discovery sought required that documents be obtained from third parties including government entities, the Parties require additional time to respond to the demands. In addition to the complexities that Defendant outlined in the prior motion, Defendant’s

demands include requests for specific documents from plaintiff Cecelia Pryce regarding her income that can only be obtained from outside sources. Although requests have been made, responses from these outside sources are still pending. Because this discovery is necessary for complete responses, it impacts the entirety of the schedule in this case.

3. As such, the Parties request that the Scheduling Order be modified as set forth below:

Event	Current Deadline	Requested Deadline
Deadline to Respond to Defendant's Discovery Served on June 14, 2023 and Plaintiff's Discovery Served on June 15, 2023	September 8, 2023	November 15, 2023
Plaintiff's Expert Report(s) Due	October 6, 2023	December 15, 2023
Defendant's Expert Report(s) Due	November 7, 2023	January 30, 2024
Expert Deposition Cut-off (both sides)	December 8, 2023	February 15, 2024
Dispositive Motions and Daubert Motions Due	January 23, 2024	March 29, 2024
Responses to Dispositive Motions and Daubert Motions Due	February 29, 2024	May 17, 2024
Replies to Dispositive Motions and Daubert Motions Due	March 22, 2024	June 14, 2024

WHEREFORE, the Parties respectfully request that the Court enter an Order granting this Joint Motion to Amend the Scheduling Order.

Dated: September 6, 2023

s/ Kimberly Kochis
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **Joint Motion to Extend Case Management Deadlines** has been electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record, on this 6th day of September, 2023.

s/ Kevin P. Fitzpatrick
Kevin P. Fitzpatrick